THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.489 of 2007

Dated:22.01.2007

Between:

Smt.Mylari Ankamma.

…Petitioner

and

The Sub-Collector and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.489 of 2007

ORDER:

The petitioner was assigned land admeasuring Ac.0.62 cents (Survey No.55/1), Ac.0.13 cents (Survey No.55-13), Ac.0.65 cents (Survey No.186-2) and Ac.0.50 cents (Survey No.75) situated at Paderu Village of Naidupeta Mandal in Nellore District. The petitioner is statedly cultivating the same. The first respondent issued proceedings bearing No.Rc.A.4595/2006, dated 20.12.2006, directing the second respondent to resume the land for provision of house sites to landless poor persons. Aggrieved by the same, the present Writ Petition is filed.

After getting instructions, the learned Assistant Government Pleader for Revenue (Assignment) does not dispute that no notice was issued to the petitioner before the order was passed by the first respondent.

Therefore, the impugned order is wholly unsustainable, and the same is accordingly set aside. If the petitioner's land is to be resumed, needless to mention that as per the decision of the Larger Bench of seven learned Judges of this Court in **LAO-cum-Revenue Divisional Officer, Chevella Division, Domalaguda, Hyderabad v. Mekala Pandu**[1], the petitioner is entitled for compensation as per the provisions of the Land Acquisition Act, 1894.

The Writ Petition is accordingly disposed of. No costs.

(V.V.S.RAO, J)

22.01.2007
vs

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[1] 2004(2) ALD 451 (LB)